

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**JAMES TAP LIA, CHUOLJOCK TAP
LIA, NYAPAIN LIA, NYAWAI TUT, and
NYAGAI TAP LIA,**

Plaintiffs,

v.

**DOUGLAS COUNTY DEPARTMENT
OF CORRECTIONS, and SOUTHERN
SUDANESE COMMUNITY,**

Defendants.

CASE NO. 4:07CV3105

ORDER TO SHOW CAUSE

This matter is before the court sua sponte. Pursuant to the Prison Litigation Reform Act ("PLRA"), an imprisoned civil plaintiff must pay the court's entire filing fee, either at the outset when filing the complaint, or in installments if the court grants leave to proceed in forma pauperis ("IFP"). In this case, the Plaintiff was granted leave to proceed IFP on April 27, 2007, and the court assessed an initial partial filing fee in the amount of \$23.00 to be paid by June 15, 2007 (Filing No. 7). This deadline has now passed and the Plaintiff failed to pay the initial partial filing fee. Therefore, the plaintiff shall show cause why this case should not be dismissed. Absent a sufficient response, the case will be subject to dismissal, without prejudice, for lack of prosecution in light of the failure to pay the initial partial filing fee by the court-ordered deadline. See NECivR 41.1, which states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."

IT IS THEREFORE ORDERED:

1. That the court assessed an initial partial filing fee in the Prisoner Payment Order; the deadline for payment of the initial fee has expired, but the records of the court show no payment of the initial fee;

2. That, accordingly, by **August 10, 2007**, the plaintiff may file a pleading entitled Response to Order to Show Cause, explaining any reason the plaintiff may have why the above-entitled case should not be dismissed without prejudice for lack of prosecution;

3. That in the absence of cause shown by the deadline stated above, this case may be subject, without further notice, to dismissal without prejudice.

DATED this 20th day of July, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge